

At its 1801st meeting, on 24 October 1974, the Council decided to invite the representative of Liberia to participate, without vote, in the discussion of the question.

At its 1802nd meeting, on 25 October 1974, the Council decided to invite the representatives of Pakistan and Romania to participate, without vote, in the discussion of the question.

At its 1803rd meeting, on 25 October 1974, the Council decided to invite the representative of Kuwait to participate, without vote, in the discussion of the question.

At its 1804th meeting, on 28 October 1974, the Council decided, at the request of the representatives of Kenya and Mauritania (S/11545 and S/11546),³³ to extend invitations, under rule 39 of the provisional rules of procedure of the Council, to Mr. Noël Mukono, Mr. T. George Silundika and Mr. Theo-Ben Gurirab.

THE SITUATION IN NAMIBIA³⁴

Decisions

At its 1811th meeting, on 17 December 1974, the Council decided to invite the representatives of Morocco, Upper Volta, Nigeria and Somalia to participate, without vote, in the discussion of the item entitled "The situation in Namibia: letter dated 13 December 1974 from the Permanent Representative of Upper Volta to the United Nations addressed to the President of the Security Council (S/11575)".³⁵

At the same meeting, the Council also decided, at the request of the President of the United Nations Council for Namibia, to extend an invitation under rule 39 of the provisional rules of procedure of the Security Council, to a delegation of the United Nations Council for Namibia, composed of the President of that Council, and the representatives of Zambia, Romania and India.

At the same meeting, the Council further decided, at the request of the representatives of Kenya, Mauritania and the United Republic of Cameroon (S/11580),³⁵ to extend an invitation under rule 39 of the provisional rules of procedure of the Council to Mr. Peter Mueshihange.

Resolution 366 (1974)

of 17 December 1974

The Security Council,

Recalling General Assembly resolution 2145 (XXI) of 27 October 1966, by which the Assembly terminated

South Africa's Mandate over the Territory of Namibia, and resolution 2248 (S-V) of 19 May 1967, by which it established a United Nations Council for Namibia, as well as all subsequent General Assembly resolutions on Namibia, in particular resolution 3295 (XXIX) of 13 December 1974,

Recalling Security Council resolutions 245 (1968) of 25 January and 246 (1968) of 14 March 1968, 264 (1969) of 20 March and 269 (1969) of 12 August 1969, 276 (1970) of 30 January, 282 (1970) of 23 July, 283 (1970) and 284 (1970) of 29 July 1970, 300 (1971) of 12 October and 301 (1971) of 20 October 1971 and 310 (1972) of 4 February 1972, which confirmed the General Assembly decisions,

Recalling the advisory opinion of the International Court of Justice of 21 June 1971³⁶ that South Africa is under obligation to withdraw its presence from the Territory,

Concerned about South Africa's continued illegal occupation of Namibia and its persistent refusal to comply with the resolutions and decisions of the General Assembly and the Security Council, as well as the advisory opinion of the International Court of Justice,

Gravely concerned at South Africa's brutal repression of the Namibian people and its persistent violation of their human rights, as well as its efforts to destroy the national unity and territorial integrity of Namibia,

1. *Condemns* the continued illegal occupation of the Territory of Namibia by South Africa;

2. *Condemns* the illegal and arbitrary application by South Africa of racially discriminatory and repressive laws and practices in Namibia;

3. *Demands* that South Africa make a solemn declaration that it will comply with the resolutions and decisions of the United Nations and the advisory opinion of the International Court of Justice of 21 June 1971 in regard to Namibia and that it recognizes the territorial integrity and unity of Namibia as a nation,

³⁴ Resolutions or decisions on this question were also adopted by the Council in 1968, 1969, 1970, 1971, 1972 and 1973.

³⁵ See *Official Records of the Security Council, Twenty-ninth Year, Supplement for October, November and December 1974*.

³⁶ *Legal Consequences for States of the Continued Presence of South Africa in Namibia (South West Africa) notwithstanding Security Council resolution 276 (1970). Advisory Opinion, I.C.J. Reports 1971, p. 16.*

such declaration to be addressed to the Security Council;

4. *Demands* that South Africa take the necessary steps to effect the withdrawal, in accordance with Security Council resolutions 264 (1969) and 269 (1969), of its illegal administration maintained in Namibia and to transfer power to the people of Namibia with the assistance of the United Nations;

5. *Further demands* that South Africa, pending the transfer of power provided for in paragraph 4 above:

(a) Comply fully, in spirit and in practice, with the provisions of the Universal Declaration of Human Rights;

(b) Release all Namibian political prisoners, including those imprisoned or detained in connexion with offences under so-called internal security laws, whether such Namibians have been charged or tried or are held without charge and whether held in Namibia or South Africa;

(c) Abolish the application in Namibia of all racially discriminatory and politically repressive laws and practices, particularly Bantustans and homelands;

(d) Accord unconditionally to all Namibians currently in exile for political reasons full facilities for return to their country without risk of arrest, detention, intimidation or imprisonment;

6. *Decides* to remain seized of the matter and to meet on or before 30 May 1975 for the purpose of reviewing South Africa's compliance with the terms of the present resolution and, in the event of non-compliance by South Africa, for the purpose of considering the appropriate measures to be taken under the Charter of the United Nations.

*Adopted unanimously at the
1811th meeting.*